

Date: March 26, 2025

To: Board of Directors

From: Sam Desue, Jr.

Subject: **RESOLUTION NO. 25-03-13 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT MODIFICATION WITH NORTHWEST INFRASTRUCTURE, LLC FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR THE COLUMBIA OPERATIONS FACILITY SITE PREPARATION AND MAIN DISTRIBUTION FRAME CONSTRUCTION PROJECT**

1. Purpose of Item

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute a modification (Modification) of the Construction Manager/General Contractor (CM/GC) services contract with Northwest Infrastructure, LLC (NWI) for the Columbia Operations Facility Site Preparation and Main Distribution Frame Construction Project.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other

3. Type of Contract Procurement

- Low Bid / Invitation to Bid (ITB)
- Request for Proposals (RFP) (inc. CM/GC)
- Request for Qualifications (RFQ) (Personal Services)
- Other (inc. sole source)

4. Reason for Board Action

Board authorization is required for all contract Modifications obligating TriMet to pay in excess of \$1,000,000.

5. Type of Action

- Resolution
- Ordinance 1st Reading
- Ordinance 2nd Reading
- Other

6. Background

The Columbia Operations Facility Site Preparation and Main Distribution Frame (MDF) Construction Project (Project) is part of TriMet’s Zero Emission Bus Fleet Transition Plan. The Project is located at 4421 NE Columbia Boulevard on a 31-acre site along the Columbia

Slough that was previously developed as an industrial Caterpillar Power Systems facility. In its initial configuration, the Project is expected to house over 100 buses, including zero emission hydrogen fuel cell electric buses. In its final configuration, it will be able to house as many as 252 hydrogen fuel cell electric buses.

In order to advance the Project, existing buildings must be removed and a new Main Distribution Frame (MDF) building for Information Technology (IT) systems must be constructed. The existing buildings are unused and vary in type and age from a residential home to large heavy equipment maintenance structures. The site preparation work includes demolition/deconstruction of buildings, with a goal of maximum material reuse and/or maximum diversion from landfills. The MDF building generally will be block construction with a metal roof and encompass roughly 1,500 square feet. This building is intended to be the main distribution 'hub' for all Project IT systems.

At its October 23, 2024 meeting, the Board passed Resolution No. 24-10-61, which authorized preconstruction services and an early work package for NWI in an amount not to exceed \$969,100. TriMet and NWI executed the preconstruction services agreement in the amount of \$119,100 on October 31, 2024, and the parties executed a Construction Services agreement for early work in the amount of \$683,171 on February 28, 2025. The authorized amount for the Project remaining from Resolution No. 24-10-61 is \$166,829.

As shown in the table below, this Resolution would authorize a Modification of the NWI CM/GC services contract to increase the contract amount by \$5,245,526, in order to accomplish the remaining scope of work for the currently envisioned Project. The Resolution also would authorize additional change orders of \$1,750,000 to address unanticipated risks. The Project presents additional risks because it will require the removal of abandoned structures with very limited records of original construction, and construction of a new facility on a former industrial site. There also are uncertainties regarding the duration and configuration of interim site conditions between the completion of the scope of this contract and follow-on activities to fully develop the property.

The funds authorized by this Resolution, plus the amounts previously authorized by Resolution No. 24-10-61, will bring the total cost of the Project to the amount of \$7,964,626, including the additional change order authority. The Board's authorization of the additional funding would allow TriMet to schedule this work for completion by the contract's December 2026 termination date.

See table below:

[1] Preconstruction Services	\$119,100
[2] Early Work Package (EWP)	\$683,171
[3] Total of Initial Contracts [1+2]	\$802,271
[4] Remaining EWP Funds	\$166,829
[5] Initial Amount Authorized by Res. No. 24-10-61 [1+2+4]	\$969,100
[6] Contract for Additional Work	\$5,245,526
[7] Change Order Allowance	\$1,750,000
[8] Amount Authorized by Res. No. 25-03-13 [6+7]	\$6,995,526
[9] Total Amount Authorized [5+8]	\$7,964,626

7. Description of Procurement Process

A competitive Request for Proposals (RFP) process was used to select NWI.

8. Diversity

NWI has 13 employees, of whom 10% are women and 77% minority. NWI is a certified Disadvantaged Business Enterprise (DBE) and Minority Business Enterprise (MBE). NWI intends to use DBEs for 75% of the construction work on the Project.

9. Financial/Budget Impact

The total amount of \$7,964,626 authorized for the Project is included in the Engineering and Construction Division's FY2025 Budget and its proposed FY2026 Budget.

10. Impact if Not Approved

TriMet could re-procure the CM/GC services contract if the Board decides not to approve this Resolution. However, TriMet received four responses through the Contract's RFP solicitation process, and advertising the CM/GC contract a second time is unlikely to lead to additional or more favorable proposals. In addition, NWI is well qualified to perform this work, which must begin soon in order for the Project to stay on schedule.

RESOLUTION NO. 25-03-13

**RESOLUTION NO. 25-03-13 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING
A CONTRACT WITH NORTHWEST INFRASTRUCTURE, LLC FOR
CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR
THE COLUMBIA OPERATIONS SITE PREPARATION AND MAIN
DISTRIBUTION FRAME CONSTRUCTION PROJECT**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a modification of the contract (Modification) with Northwest Infrastructure, LLC (NWI) for Construction Manager/General Contractor (CM/GC) services for the Columbia Operations Facility Site Preparation and Main Distribution Frame (MDF) Construction Project (Project); and

WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring it to approve all contracts and contract Modifications obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, the total amount of this Modification exceeds \$1,000,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Modification shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the Modification in the amount of \$5,245,526, for an additional authorized amount of \$6,995,526.
3. That the General Manager or his designee is further authorized to execute change orders in the amount of \$1,916,829, for a total authorized Project cost of \$7,964,626, through the contract's December 2026 termination date.

Dated: March 26, 2025



Presiding Officer

Attest:



Recording Secretary

Approved as to Legal Sufficiency:



Legal Department